

**Cefialiulriit Coastal Resource Service Area  
Coastal Management Plan  
Enforceable and Administrative Policies**

**A. Subsistence**

**A-1. Subsistence Use**

Subject uses shall mitigate significant adverse impacts to subsistence uses of Cefialiulriit CRSA coastal zone resources, in accordance with the Mitigation Policy (Section N), unless:

- i. There is a public need for the subject use, and
- ii. The subject use will minimize all significant adverse impacts to subsistence uses of the Cefialiulriit CRSA coastal zone resources.

**Evaluation: The project is not expected to have a significant adverse impact to subsistence resources. The project is located adjacent to an existing industrial land use activity that deters the presence of wildlife. Most of the footprint of the project is located where grassy vegetation is present rather than the crowberry resources located further inland.**

**A-2. Access to Resources**

Traditional and customary access to subsistence resources shall be maintained unchanged and unaffected by a subject use unless it is demonstrated by the applicant that access is improved by the subject use, or that it is not reasonable to continue such access. In the latter case, reasonable alternative access, as determined by the coordinating agency, must be provided by the applicant. Access rights to or across privately owned lands are not created by this policy.

**Evaluation: The project will not affect access to subsistence resources.**

**A-3. Local Concerns (Administrative Policy)**

The Cefialiulriit CRSA will work with local governments, Native Corporations, and individuals whose lands or subsistence use patterns are affected by a subject use to identify subsistence resource concerns and to develop appropriate restrictions and stipulations.

**Evaluation: Project staff has worked closely with local entities to ensure that there are no concerns. The project has received a letter of support and donation of land from Platinum Traditional Council and Arviq Corporation.**

**A-4. Subsistence Resource Management (Administrative Policy)**

N/A

## B. Fish and Wildlife/Department of Fish and Game B-

### **I-B-6: N/A**

#### **B-7. Consultation on Raptor Nest Sites (Administrative Policy)**

During the consistency review process, the Cefialiulriit CRSA will contact the U.S. Fish and Wildlife Service and the DFG for information concerning the known locations of raptor nest sites and appropriate criteria to minimize significant adverse impacts to nest sites and nesting activity.

**Evaluation: Consultation with USFWS did not reveal that raptor nest sites are present in the project area.**

#### **B-8. Marine Mammal Haul-Outs and Seabird Colonies**

Subject uses shall avoid significant adverse impacts to seabird colonies and rookeries (see Maps 3-6 through 3-14), and to haul-outs, rookeries, and migration areas used by marine mammals. To the extent feasible and prudent, subject uses shall be sited at least one-half mile from identified seabird rookeries and marine mammal haul-outs.

#### **B-9. Migrating Mammals**

Subject uses shall avoid significant adverse impacts to migrating mammals. Techniques that may be used to avoid these impacts include scheduling project activities outside the migration route or when migration is not occurring, or modifying project operational procedures during migration.

#### **B-10. Threatened and Endangered Species (Administrative Policy)**

Steller sea lions and sea lion rookeries in the CRSA are protected, because west of the 144th meridian, the Steller sea lion is recognized as an endangered species under the Endangered Species Act and as depleted under the Marine Mammal Protection Act. To reduce unnatural sources of disturbance and mortality and to allow the Steller sea lion population to recover, the National Marine Fisheries Service has prohibited the following activities, effective April 5, 1990:

- i. Shooting at or near any Steller sea lion for any reason, except for native subsistence activities; commercial fishermen may still use other means that do not result in injury or death to the animal to deter Steller sea lions from interfering with fishing gear;
- ii. Subject to certain exceptions defined by the National Marine Fisheries Service, operating marine vessels within 3 miles of any Steller sea lion rookery; and
- iii. No person may approach on land closer than  $\frac{1}{4}$  mile or within sight of a Steller sea lion rookery.

**Evaluation: Consultation with USFWS and NMFS indicated there is no critical habitat for the stellar sea lion, whales or stellar's eider in the vicinity of the project area.**



## **B-12. Co-management of Fish and Wildlife Habitat (Administrative Policy): N/A**

## **B-13. Co-management of Wetlands (Administrative Policy)**

The Cenaliulriit CRSA and regional and village organizations will work with the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and the Alaska Departments of Environmental Conservation and Fish and Game to evaluate the function and value of wetlands within the CRSA, develop appropriate management guidelines for those wetlands, and facilitate permitting of community development projects involving low function/value wetlands in and around villages.

**Evaluation:** Wetlands impacts are minimized to the extent practicable as detailed in permit application to the Corps of Engineers. Wetlands with a total combined area of approximately 1,700 square feet will be filled; the location is constrained and avoidance or minimization of fill is not possible. The wetlands are man-made, are low function/value, are near Platinum, and are being filled for a community development project.

## **C. Coastal Development**

### **C-1. Water-Dependent and Water-Related Precedence**

In planning for and approving subject uses in waterfront areas, after taking into account the priority afforded subsistence uses, the following order of priority shall be used:

- i. First, to water-dependent uses;
- ii. Second, to water-related uses; and
- iii. Finally, to obtain approval to site a use that is not water-dependent nor water-related on a waterfront area, the applicant must demonstrate:
  - there is a public need for the proposed use;
  - there are no feasible and prudent inland alternatives that would meet the public need and allow siting away from the waterfront; and
  - all significant adverse impacts on coastal resources will be minimized.

**Evaluation:** The proposed project is dependent on a coastal location for minimizing transport of fish from tender to plant, barge support for shipping product and providing supplies, and for disposal of process waste at a sub-sea location.

### **C-2. Multiple Use**

Piers, cargo handling, storage, parking, and other facilities shall be sited, designed, constructed, and operated to minimize the need for duplicative coastal facilities.

**Evaluation:** The adjacent property has a gravel conveyor system for loading barges that is not compatible for use by this project because it is not structurally suitable, it would create conflicts during overlapping high-traffic periods, it would

be too far away from the plant for shuttling fish, and there is no hard-surface transport pathway for shuttling fish.

**C-3. Optimum Shoreline Use: N/A**

**C-4. Development Timing: N/A**

**C-5. Consultation with Local Organizations (Administrative Policy)**

Applicants for major projects should consult with the Ceialliulriit CRSA, and tribal, local and municipal governments during project planning and at least 60 days prior to submitting permit applications.

**Evaluation: This project has worked closely with Platinum government, tribal, and corporate entities since early 2006 and also with Cenaliulriit CRSA in 2007.**

**C-6. Optimum Location of Development (Administrative Policy)**

The Cenaliulriit CRSA, working with tribal, local, and municipal governments, will assist developers with the identification of sites suitable for industrial and commercial development which satisfy industrial requirements; meet safety standards; protect coastal resources, important fish and wildlife habitat, and subsistence activities; and maintain environmental quality.

**Evaluation: The proposed project will be located on a site with previous industrial use. The prior use and the proposed use meet all criteria.**

**C-7. Public Notice and Involvement Opportunities (Administrative Policy)**

The Cenaliulriit CRSA, local governments, and state and federal regulatory agencies should maximize effective public notification in the affected communities of the following items:

- i. State consistency reviews;
- ii. Proposed changes in regulations that affect the coastal zone; and
- iii. Proposed planning activities.

**Evaluation: Public notification has been conducted through multiple, community meetings, pre-application scooping letters and meetings, and formal public review periods.**

**C-8. Continued Funding of Coastal Management (Administrative Policy). N/A**

**D. Air, Land And Water Quality**

**D-1. Petroleum and Other Hazardous Substances**

Subject uses shall minimize the risk of significant adverse impacts to coastal resources due to the storage, handling, cleanup and disposal of hazardous substances, including petroleum and petroleum products.



**Evaluation: Fuel tank design standards will be adhered to and spill control planning will be completed according to State regulations.**

#### **D-2. Wastewater Discharge**

The discharge of wastewater (other than stormwater) or other effluent into waters of the CRSA that are characterized by biological productivity, diversity, and sensitivity, shall be minimized. Further, the site of such discharge shall be evaluated by DEC based on where the effluent can be treated or effectively dispersed by currents to the maximum extent practicable.

**Evaluation: A septic system for camp wastewater will be reviewed and approved by ADEC. Offal discharge will be permitted either by EPA with ADEC consultation or by ADEC to meet this criteria.**

#### **D-3. Erosion**

Subject uses shall minimize soil erosion. Options for achieving consistency with this policy include:

- i. Minimizing the removal of vegetation adjacent to water bodies,
  - ii. Stabilizing and revegetating disturbed soil as soon as possible,
  - iii. Minimizing land disturbance to the smallest area, and iv.
- Minimizing runoff across denuded areas and newly stabilized areas.

Further options can be found in the Department of Transportation and Public Facilities' publication: *Best Management Practices for: Construction, Erosion and Sediment Control and Maintenance and Operations Activities* (January 1997).

**Evaluation: Site development will minimize soil erosion through compliance with the approved Storm Water Pollution Prevention Plan. The development plan has as small a footprint as practicable, and it partially located on an old industrial site.**

#### **D-4. Hazardous Substances**

Subject uses involving hazardous substances shall notify the CRSA of the type of hazardous substance, quantity, mode, and schedule of transportation or storage, when the quantity of the substance meets or exceeds the threshold level set under the Emergency Planning and Community Right-to-Know Act (42 U.S.C. Section 11001, *et. seq.*, as of April 14, 1999).

**Evaluation: Planned usage of fuel oil and gasoline have been provided to CCRSA.**

#### **D-5. Planning for Hazardous Substances (Administrative Policy)**

The Ceilaliulriit CRSA will work with applicants and state and federal agencies during planning processes to identify appropriate sites for the storage, transportation, treatment, or disposal of hazardous substances.

**Evaluation: No site conflicts have been identified. The site is a former fuel transfer and storage location.**

**D-6. Emergency Response (Administrative Policy)**

The Cenaliulriit CRSA will work with applicants and state and federal agencies to identify and plan appropriate responses to emergencies resulting from accidents involving hazardous substances.

**Evaluation: A spill response plan will be prepared that includes coordination with CCRSA.**

**D-7. Siting of Facilities (Administrative Policy)**

The Cenaliulriit CRSA, using technical assistance from state and federal agencies, will work with developers of proposed industrial facilities to evaluate emissions and effluent dispersion, and assist in the siting of industrial facilities, in accordance with the procedures identified in Chapter 7, Implementation.

**Evaluation: CVRF has worked extensively with local communities to select this site and no conflicts have been identified.**

**D-8. Oil Spill Contingency Plans (Administrative Policy)**

The Cenaliulriit CRSA will participate in the development and review of oil spill contingency, spill containment, and cleanup plans, when such plans are required by federal or state statutes or regulations, in accordance with the procedures identified in Chapter 7, Implementation.

**Evaluation: A spill response plan will be prepared that includes coordination with CCRSA.**

**D-9. Village Development (Administrative Policy): N/A E.****Waste Disposal****E-1. Solid Waste Disposal Sites**

Sites for solid waste disposal shall be:

- i. Located to avoid destruction of important habitats and resources;
- ii. Sited, designed, and operated to avoid pollution of surrounding areas and to avoid creation of an attractive nuisance for wildlife (i.e., prevent garbage foraging by wildlife); and
- iii. Located a minimum of 1500 feet from any source of drinking water for a public or private water system. An exception to this setback may be approved if a site-specific surface and subsurface hydrological analysis shows that a smaller setback is sufficient to prevent contamination.

**Evaluation: No new solid waste facilities will be constructed specifically for this project. Waste will not be disposed of in an unapproved location. Solid waste will be compacted and transported offsite to an approved disposal facility, either on an ongoing basis or until such time as the City of Platinum or another operating entity**



**such as the Platinum Mine may have an approved disposal facility and is willing to take the solid waste. The Platinum Mine currently has an approved landfill. CVRF operations at Quinhagak currently use the approved Quinhagak landfill, and this is one of the alternative under consideration.**

#### **E-2. Sewage Disposal**

Sewage treatment lagoons shall be setback a minimum of 1,500 feet from any source of drinking water for a public or private water system. Where feasible and prudent, sewage treatment lagoons shall be setback a minimum of 200 feet from any other surface waters. Treated sewage outfalls shall be setback a minimum of 1,500 feet from any source of drinking water for a public or private water system. Setback requirements do not apply to authorized marine outfalls for treated sewage. Sewage lagoons shall be sited, designed, and operated to avoid overflow of lagoons onto surrounding lands and into surface waters.

**Evaluation: Wastewater from the camp will be disposed of in a septic system and subsurface drainfield. The location of the drainfield is generally planned to be inland of the coastal facilities, and will be sited and designed to meet agency approval. There will be no sewage lagoon.**

#### **E-3. Storage of Petroleum and Petroleum Products**

Subject uses shall avoid the storage, processing, or treatment of 5,000 gallons or more of petroleum or petroleum products within 1500 feet of any source of drinking water for a public or private water system. To the extent feasible and prudent, subject uses shall avoid the storage, processing, or treatment of 5,000 gallons or more of petroleum or petroleum products within 200 feet of the ordinary high water mark of any surface water.

**Evaluation: The diked fuel oil storage tank is approximately 200 feet from the old lagoon to the southeast. It is approximately 100 ft from a tidally influenced pond/wetland to the southwest that is only connected to Goodnews Bay at very high tides. Increasing this distance would likely increase the size of the project footprint and place the facility closer to planned housing and shop structures. It is not considered feasible or prudent to increase the separation distance from the pond/wetland to 200 ft.**

#### **E-4. Secondary Containment**

Impermeable secondary containment areas capable of retaining 110 percent of the tank capacity (or capacity of the largest tank where multiple tanks are separately valved) shall be required for aboveground storage tanks with a capacity of 5,000 gallons or more, to minimize the potential for inadvertent pollution. Other approaches that achieve the same level of protection may be approved by DEC in consultation with the CRSA.

**Evaluation: Diesel fuel for generators and other needs will be supplied from a diked bulk fuel storage tank meeting the volume requirement that will be annually filled by a commercial fuel barge. Gasoline for plant operation vehicles will be stored in one or two 8000-gallon UL-listed mobile steel tanks mounted on skids. An EPA**

**approved Spill Prevention, Control, and Countermeasure Plan (SPCC) will be implemented.**

**E-5. Use of Garbage Receptacles (Administrative Policy):**

Whenever possible, dumping of solid waste should only be permitted in garbage receptacles and at a village's sanitary landfill site.

**Evaluation: a trash compactor will be used along with garbage receptacles to move garbage to an approved solid waste disposal facility.**

**E-6. Recycling Programs (Administrative Policy): N/A**

**E-7. Regional Solid Waste Facility (Administrative Policy): N/A**

**F. Geophysical Hazards**

**F-1. Design and Siting Criteria**

Subject uses shall not be located in a geophysical hazard area if a feasible and prudent alternate site exists (for general information about certain geophysical hazard areas, see Map 3-2). A subject use that must be sited in a hazard area shall be sited, designed, constructed, and operated to minimize environmental and property damage and protect against property damage, injury and loss of life.

**Evaluation: Feasible and prudent alternative sites have not been found. The facility will be designed, constructed, and operated to minimize environmental and property damage and protect against property damage, injury and loss of life.**

**F-2. Coastal/Riverine Erosion**

Subject uses shall be sited, designed, constructed, and operated to minimize coastal and riverine erosion and other significant adverse impacts.

**Evaluation: The long history of use of the site (about 70 years) and analysis of aerial photography dating back to 1972 indicates that the site is not actively eroding at significant rates.**

**F-3. Coastal/Storm Surge Flooding**

The siting of subject uses that are neither water-dependent nor water-related outside village policy zones (as shown on Maps 5-1 to 5-11) and within areas subject to storm surge flooding shall be avoided, unless there is a public need for the subject use to be sited in that location. All subject uses located within such areas shall minimize the potential hazard through appropriate siting, design, construction and operating measures.

**Evaluation: The project site is subject to storm-surge flooding. Site elevation studies and witness observations covering approximately seventy five years have been used in facility design to withstand the highest known historic flooding without significant damage. The greatest potential for storm surge flooding is during fall**

**storms when the facility will be inactive and the potential for injury or loss of life is minimal**

**F-4. Landslides and Mass Wasting Hazards: N/A**

**F-5. Siting of Structures along Streams, Rivers and Lakes: N/A**

**F-6. Emergency Response Program (Administrative Policy): N/A**

## **G. Transportation and Utilities**

### **G-1. Minimize Impacts**

Transportation and utility routes and facilities shall be sited, designed, constructed, and operated to:

- i. Minimize significant adverse impacts to biological resources, subsistence use areas and cultural characteristics;
- ii. Minimize duplication of transportation and utility routes and facilities.

**Evaluation: The existing road to the airport and to Platinum will be used to the maximum extent practicable. Water lines and telephone utility lines will follow the road alignment. A new road segment to bypass the new facility is necessary, and will be located close to the facility rather around the outside perimeter. Approval that the road alignment does not adversely impact archaeological resources subsistence, and biological resources will be obtained from agencies.**

**G-2. Migratory Passage: N/A**

**G-3. Water Crossings: N/A**

### **G-4. Facility Siting and Design**

New transportation facilities and routes shall be located and designed to avoid or minimize the need for shoreline protective measures or bank stabilization measures. Transportation corridors shall, if possible, be located parallel to existing surface drainage flows. Transportation corridors shall be located to minimize the need for routing surface waters into and through culverts. To the extent practical, utility and transportation facilities and corridors shall be located so as not to destroy or obstruct scenic views.

**Evaluation: The project will mostly rely on an existing road for access to and from Platinum and the airport. A short section will be realigned to maintain access to other properties and will not impact shoreline, water bodies, scenic views, resources, or resource use. As a long-time formerly used site, shoreline protective measures do not appear needed.**

**G-5. Facility Crossing Water Bodies: N/A**

#### **G-6. Facility Construction and Restoration**

Upon project completion, any disturbed areas shall be restored to their preproject condition, using native vegetation where possible.

**Evaluation:** Disturbed areas not used for ongoing plant operations will be returned to their approximate natural conditions and will be reseeded with plant species deemed appropriate for the area by the Alaska Plant Materials Center at Palmer, AK.

#### **G-7. Location of Shipping Routes**

Locations for shipping routes and port facilities shall be selected to avoid:

- i. Hazards such as rocks and shoals;
- ii. Sensitive habitats such as marine mammal haul-out areas and seabird colonies; and
- iii. Areas of importance to commercial fishing and subsistence activities.

**Evaluation:** An anchored barge will serve as a seasonal dock that will not interfere with i. - iii.

#### **G-8. Airport Lands and Facilities (Administrative Policy): N/A**

#### **G-9. Planning Processes (Administrative Policy)**

The state and federal government should provide the Cenaliulriit CRSA, local governments, and affected landowners with the opportunity to participate in any proposed planning processes for transportation and utility facilities, services, and corridors, in accordance with the procedures identified in Chapter 7, Implementation.

**Evaluation:** A list of adjacent property owners has been included with the Corps of Engineers permit application and local entities have been consulted frequently as part of this project development.

H. Energy Facilities: N/A

#### **I. Mining and Mineral Processing**

##### **1-1. Coastal Sand and Gravel Extraction: N/A**

##### **1-2. Dredge and Fill Requirements: N/A**

##### **1-3. Sand and Gravel Mining - Siting**

An applicant seeking to mine sand and gravel shall demonstrate to the coordinating agency's satisfaction that all higher preference alternatives have been considered, and determined not to be feasible and prudent. The coordinating agency shall evaluate applications to mine sand and gravel based on the following order of preference:

- i. From existing sand and gravel pits;
  - ii. Reuse of sand and gravel from already disturbed areas where existing development has been abandoned; iii.
- From new upland pits;
- iv. From rivers, streams and lakes that do not support fish;
  - v. From shoreline and offshore gravel sources;
  - vi. Finally, when no feasible and prudent alternative exists, from floodplain gravel sources in fish bearing streams, or from small streams within tundra areas.

**Evaluation: Sand and gravel will be purchased commercially from an existing inland source operation.**

**1-4. Floodplain Gravel Extraction-Operation (Gravel Mining in Rivers and Streams): N/A**

**1-5. Reclamation of Mined Sites: N/A**

**1-6. Geophysical Surveys: N/A**

**1-7. Reclamation Cost Guarantees (Administrative Policy): N/A**

**1-8. Siting of Material Sources (Administrative Policy): N/A**

J. Recreation: N/A

## K. Fisheries and Seafood Processing

### **K-1. Disposal of Seafood Processing Wastes**

Subject uses involving seafood processing shall avoid the discharge of processing wastes into marine waters in areas that:

- i. Do not have circulation characteristics or biological assimilation capacity to accept these discharges without causing significant adverse impacts on water quality or marine habitat productivity; or
- ii. Attract wildlife to waste disposal areas in a manner that creates a threat to fish and wildlife or human health and safety ("attractive nuisance").

**Evaluation: Process waste will be ground per USEPA and ADEC requirements and discharged via a sub-sea offal discharge line offshore into Kuskokwim Bay. Discharge will be in compliance with State and federal regulations that assure adequate assimilative capacity and avoid creating an attractive nuisance.**

### **K-2. Use of Seafood Processing Waste**

Land-based and floating seafood processors shall maximize the recovery and efficient use of processing waste through methods such as fishmeal or fish oil production.

**Evaluation: CVRF has carefully evaluated the economic feasibility of creating valuable product from fish waste and has not yet found a viable means of incorporating this into the current project.**

**K-3. Notification of Hazards to Commercial Fishermen (Administrative Policy)**

In marine and estuarine waters within or adjacent to the Cenaliulriit CRSA, operators of oil and gas, seismic, mining, transportation, and associated activities should provide timely notification to the CRSA and affected communities of the schedule and location of potential conflicts or physical obstructions that may impact or preclude commercial fishing, or cause damage to or contaminate fishing gear.

**Evaluation: Barge and tender traffic is not likely to result in conflicts with commercial fishing or gear.**

**K-4. Preferred Sites for Seafood Processing (Administrative Policy)**

The Cenaliulriit CRSA will work with local, state, and federal governments and developers to identify suitable sites for seafood processing within the region.

**Evaluation: No other potentially suitable sites have been identified by CCRSA.**

**K-5. Fisheries Enhancement and Habitat Improvement (Administrative Policy) N/A**

**K-6. Expanded Commercial Fisheries and Mariculture (Administrative Policy)**

The Cenaliulriit CRSA supports mariculture and non-fin fish aquaculture, and will work with developers in identifying suitable sites. The CRSA also encourages state and federal fisheries management agencies to evaluate the potential for expanded commercial fishery harvests in the region, particularly for salmon.

**Evaluation: The fishing opportunities in this area are limited due to lack of processing capability. ADFG reports that the area's salmon fisheries have low exploitation and a low effort of harvesting as a result of the lack of processing capacity. This project will provide much needed economic development for the region and make beneficial use of an under-utilized fishery resource.**

**L. On-Water Structures**

**L-1. Floating Facilities**

Floating facilities shall be sited and operated subject to the following requirements:

- i. Use anchoring methods that are appropriate for the location and able to anchor the facility during high winds and extreme tides; and
- ii. Ensure prompt removal, or disposal in an approved manner, of floating facilities when the lease or permit has expired or if the facilities are no longer being properly maintained.

**Evaluation: A floating barge will be used as a temporary dock and will be designed, operated, and removed in conformance with an ADNR land-use permit for the intertidal zone to meet the required conditions.**

#### **L-2. Navigation Obstructions**

Uses and activities in coastal waters shall minimize the navigational hazard to or obstruction of other uses of coastal waters.

**Evaluation: A buoy will be deployed for the anchored end of the offal discharge pipe, and it will not interfere with navigation.**

### **M. Cultural Resources**

#### **M-1. Cultural Resource Protection**

Cultural resources shall be afforded maximum protection. Evaluation of potential impacts to cultural resources, and the required mitigation, shall be the responsibility of the applicant in consultation with the State Historic Preservation Office (SHPO) and the CRSA. The applicant shall also coordinate with the landowner and affected communities.

**Evaluation: An on-site evaluation of archeological resources has been performed, consultation with affected communities has occurred, and all planned facilities will comply with applicable requirements**

#### **M-2. Potential Cultural Resource Areas**

Where there is a high potential for undiscovered cultural resources in a project area, as determined by SHPO and the CRSA, a resource survey shall be conducted by the applicant prior to surface disturbance.

**Evaluation: A field archaeological resource study has been conducted and no high potential undiscovered cultural resource areas have been identified in the project footprint.**

#### **M-3. Maximum Protection Required**

Subject uses shall avoid significant adverse impacts to cultural resources, whether previously identified or newly discovered, unless:

- i. There is a public need for the proposed use, and
- ii. The significant adverse impacts to the resource are mitigated in accordance with the Mitigation policy in Section N and in consultation with SHPO and the CRSA.

**Evaluation: No significant adverse impacts to cultural resources have been identified.**

#### **M-4. Previously Undiscovered Cultural Resources**

If previously undiscovered cultural resources are encountered during development, all work on the project that may further disturb the resources shall cease. The party responsible for project development shall contact SHPO and the CRSA immediately. SHPO, or another qualified cultural resource specialist, shall evaluate the resources in a timely manner, and the project permit shall be amended, as necessary, to take into consideration the discovered resources.

**Evaluation: This provision will be incorporated into the project development plan.**

#### **M-5. Graves**

All obvious graves shall be avoided. In the case of an inadvertent discovery of skeletal remains, work that would further disturb the remains shall cease immediately. The discoverer shall then contact a law enforcement officer (to determine if the remains are part of a crime scene), the landowner, SHPO, and the CRSA, to be advised how to proceed.

**Evaluation: Thus far no graves have been identified. This provision will be incorporated into the project development plan.**

### **N. Mitigation and Public Need**

#### **N-I. Mitigation**

Where applicable, subject uses shall be designed, sited, constructed, operated, and maintained to mitigate significant adverse impacts to the following resources and uses of local, state, and national importance:

- i. Subsistence uses;
- ii. Air and water quality;
- iii. Fish and wildlife and their habitats;
- iv. Commercial fishing uses; and
- v. Historic, prehistoric, and archeological resources.

Mitigation is the responsibility of the applicant. Mitigation shall include the following measures, which shall be considered by the coordinating agency:

- i. Minimize the significant adverse impact and any need for restoration or compensation;
- ii. Restore the resource or use to its pre-disturbance condition; and
- iii. If the remaining adverse impact is substantial and irreversible, and the resource or use cannot be restored to its pre-disturbance condition, then compensate for the impact to the resource or use by replacing or enhancing



the resource or use, or providing a substitute resource or use. Compensation may be in-kind or out-of-kind, and on-site or off-site. The preferred option is in-kind and on-site.

Any mitigation requirement listed in the policies of the Ceilaliulriit CMP shall follow the steps listed above. The cost of mitigation, relative to the benefit to be gained, shall be considered by the coordinating agency in the implementation of this policy.

**Evaluation: This project will coordinate with agencies to comply with this requirement as needed.**

#### **N-2. Public Need (Administrative Policy)**

When determining whether there is a public need for policies that require such a determination, the Cenaliulriit CRSA will specifically consider the following factors, among others that may apply to particular circumstances:

- i. Whether the use improves the delivery of water, sewer, health or other community services;
- ii. Whether the use provides or materially contributes to lower-cost fuel or power;
- iii. Whether the use provides local employment;
- iv. Whether the use is related to or supports Yup'ik culture and values; and
- v. Whether the use generates local government revenues greater than the demand for local government expenditures by the use.

**Evaluation: The proposed project provides local employment opportunities in a manner that supports Yup'ik culture and values that are associated with harvesting local salmon for life-sustaining purposes. The other listed factors are not material to the project.**

O. Village Development: N/A